

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08-494 (FLW)
	:	
	:	CONSENT ORDER EXCLUDING
v.	:	TIME UNDER THE SPEEDY
	:	TRIAL ACT
	:	
JOSEPH BERRY	:	

This matter having come before the Court on the joint application and with the consent of Christopher J. Christie, United States Attorney for the District of New Jersey (James Kitchen, Assistant United States Attorney) and defendant Joseph Berry (Brian P. Reilly, appearing), for an order granting a continuance of the proceedings in the above-captioned matter for 30 days from November 21, 2008 through December 22, 2008, to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement;

and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court and that a continuance shall serve to delay a trial in this matter, and the defendant having consented to the continuance as signed below and waived such right, for good cause shown;

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

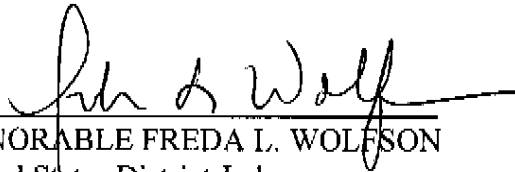
1) Discussions are underway and both the United States and the defendant desire additional time to negotiate a resolution of this case, which would render the filing of pretrial

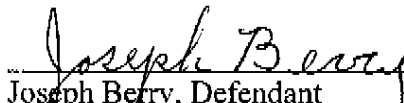
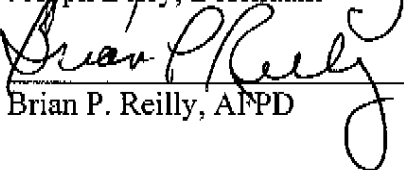
motions and trial of this matter unnecessary;

2) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the interest of the public and defendant in a speedy trial;

WHEREFORE IT IS ORDERED this 24th day of November, 2008, that the action be continued from November 21, 2008 to December 22, 2008.

IT IS FURTHER ORDERED that the period from November 21, 2008 through December 22, 2008 shall be excludable in computing time under the Speedy Trial Act of 1974 (as amended October 12, 1984) pursuant to 18 U.S.C. §3161.


HONORABLE FREDA L. WOLFSON
United States District Judge


Joseph Berry, Defendant

Brian P. Reilly, AFPD